REMARKS

The claims have been amended to more clearly define the present invention over Dunn et al. (US5,659,596). Claims have been cancelled, and the remaining claims amended. The claims as amended cover a more particular aspect of the present invention which is not anticipated by Dunn et al. (US5,659,596).

Accordingly, the rejection of remaining amended claims 1-2, 4, 7-8, 13-14, 16, 19-20, 25-26, and 28 as being anticipated by Dunn et al. (US5,659,596) under 35 USC 102(e) is respectfully traversed. It is submitted that a rejection based on anticipation under 35 U.S.C. 102, must expressly or impliedly teach every element of invention without modification. The Examiner's application of the Dunn patent does not meet this standard with respect to amended claims 1-2, 4, 7-8, 13-14, 16, 19-20, 25-26, and 28. Dunn does not disclose the following elements in each of these remaining claims: simultaneously determining a location of a mobile user by items of location data from each of a plurality of said associated location sources, and updating the location of said mobile user with the location data determined by the expected most accurate of said associated location sources.

The present invention tracks a mobile user based upon location data simultaneously obtained from multiple location sources which may accompany the moving user. Such location sources are defined in the present specification (P. 4, lines 39-44) by examples: mobile telephones, personal digital assistants, pagers, global positioning devices, and monitored user calendars giving user's expected locations at certain times. Updating the location of said mobile user

with the <u>location data determined by the expected most
accurate of said associated location sources</u> is described in
the present specification (Page 7, line 43 to page 8, line
2). For example, location data from a location source which
is capable of a more precise measurement is given priority
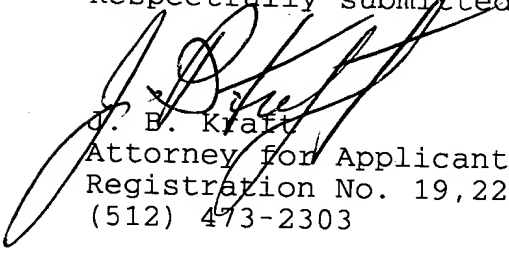over a less precise location source.

Dunn does not disclose such multiple location sources
or <u>simultaneously determining the location</u> of a mobile user,
and updating the user location by <u>location data determined
by the expected most accurate of said associated location
sources</u> . Dunn is concerned with locating users of mobile
telephones but he does so merely by time stamping each
communication of the mobile telephone or like device being
tracked. There is no teaching of determining a mobile user
location by the most accurate of simultaneous locators. The
Examiner cites column 29, lines 39-57 as disclosing this
element. All this section discloses is that the location is
determined by the last time stamp. At best, this merely is
the latest location of a single not multiple location
sources.

Accordingly, Applicants submit that the teaching of
Dunn as applied by Examiner can not serve as teaching to
anticipate the present invention under 35 U.S.C. 102. The
reference does not clearly expressly or impliedly teach
every element of the present invention without modification
since it does not teach <u>simultaneously determining a
location of a mobile user by location data from each of a
plurality of said associated location sources,</u> and <u>updating
the location</u> of said mobile user with the <u>location data
determined by the expected most accurate of said associated
location sources.</u>

In view of the foregoing, claims 1-2, 4, 7-8, 13-14, 16, 19-20, 25-26, and 28 are submitted to be in condition for allowance, and such allowance is respectfully requested.

Respectfully submitted

J. B. Kraft
Attorney for Applicants
Registration No. 19,226
(512) 473-2303

PLEASE MAIL ALL CORRESPONDENCE TO:

Justin Dillon
IPLaw Dept. - IMAD 4054
IBM Corporation
11400 Burnet Road